CLERK'S OFFICE U.S. DIST. COURT

## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION

JULIA C. DUDLEY CLERK BY: DEPUTY OLER

MARCUS TUCKER, Plaintiff,	) Civil Action No. 7:13-cv-	·00507
v.	) ) <u>ORDER</u>	
VADOC, <u>et al.,</u> Defendants.	) By: Hon. Jackson L. I Senior United Sta	Kiser Ites District Judge

In accordance with the written Memorandum Opinion entered this day, it is hereby

## **ORDERED**

that this action is **DISMISSED without prejudice** for failing to state a claim upon which relief may be granted, pursuant to 28 U.S.C. § 1915A(b)(1), and is **STRICKEN** from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum Opinion to Plaintiff with form AO-241, Petition for a Writ of Habeas Corpus By a Person in State Custody.

ENTER: This day of November, 2013.

Senior United States District Judge